Alexandria Daily Advertiser.

Vol. VII.] FRIDAY, FEBRUARY 27, 1807. [No. 1844.

SALES AT VENDUE.

On every Tuesday and Friday
WILL BE SOLD,
AT THE VENDUE STORE,
Corner of Prince and Water streets,
A variety of Dry Goods, Groceries, &c.
Particulars of which will be expressed in the bills of the day,

ALL kinds of goods which are on limination and the prices of which are established can at any time be viewed and purchased at the lowest limitation and prices.

P. G. Marsteller, v. m.

MARSTELLER AND YOUNG,
HAVE JUST RECEIVED,
A quantity of *BEEF*—Boston inspection—No. 1 and 2—which will be sold on moderate terms. Feb. 3.—d

---

Marsteller and Young,
Have just received, and will sell low if taken from on board
8000 bushels Turk's Island Salt.
ALSO
17 Tierces Barbadoes Molasses.
January 16. d

Wanted to Purchase,
A Negro Man Servant, who has been accustomed to wait in a family, and can be well recommended—*Enquire of the Printer.*
November 10. d

Wanted to Purchase,
A FEW ACRES of LAND, on the north end of the town, to bind on the river or nearly so.
Apply to the Printer.
September 25. d

JUST RECEIVED
AND FOR SALE,
500 Spanish Hides,
5 tierces Clover Seed,
1 ditto Timothy,
AND
5 hogsheads JAMAICA RUM.
Mordecai Miller.
January 30. d

JUST RECEIVED
AND FOR SALE,
150 Sacks Liverpool Stoved Salt, &
2600 Bushels do.
On very moderate terms.
Wm. Hodgson.
Jan. 3. d.

Just Received,
AND FOR SALE BY THE SUBSCRIBERS,
2 pipes L. P. Madeira WINE
2 half do. do. do.
6 pipes Cognac BRANDY, 4th proof.
Wadsworth & Butler,
WHO HAVE ON HAND,
20 hhds. Jamaica RUM, 4th proof
10 do. St. Croix do. 2d & 3d do.
8 do. New-England do.
5 pipes Holland GIN
2 do. country do.
1 hhd. L. market Madeira Wine } of a superior qu'ty
4 quarter casks do. do. }
3 do. do. L. P. Teneriffe do. do.
6000 bushels Lisbon SALT.
January 1

For Sale or Rent,
A WELL finished three story *BRICK DWELLING HOUSE*, containing 7 rooms, with wash house, kitchen, smoke house, coach house and stable and other necessary buildings all of brick, situate on Royal street, a few doors from Gadsby's, and near the mar . For particulars apply to
Robert Patton,
February 9. d

FOR SALE,
On advantageous terms,
The large commodious well-built three story *BRICK WAREHOUSE* on King-street occupied by Messrs. Richard Veitch & Co.—Apply to
James Patton.
October 20. d

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13 hhds. SUGAR of good quality,
33 bbls. do. do.
5 pipes 4th proof Brandy
4 qr. casks Sherry Wine } of excellent
11 do. do. Malaga do. } quality.
Boxes of Cotton Cards
Sacks of Licorice Root and Sago
Barrels of Clover and Herds Grass Seed
And a large quantity of Red Sole Leather,
For Sale by
Benjamin Shreve, Jun.
July 26. d

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50 barrels of Tar,
For Sale by
M. MILLER.
February 18. d

Adam Lynn,
HAS JUST RECEIVED,
AN ELEGANT ASSORTMENT OF
Gold mounted and plain Tortoise Shell Combs, of the latest fashions.
February 17. d

A TANNERY.

FOR SALE OR RENT,
A TANNERY, with convenient improvements thereon, in the town of Centerville. Apply to Mr. Daniel Harrington at the premises, or to the subscriber in Alexandria,
JOHN G. LADD.
February 25 d

Dissolution of Partnership.

WILLIAM DOUGLASS intending to retire from business in this place, the partnership of *Douglass & Mandeville* is this day dissolved by mutual consent, and Joseph H. Mandeville is solely authorised to adjust and settle all the accounts of the partnership. It is earnestly requested that all persons indebted to them will settle the same with him immediately, as longer indulgence cannot be given.

William Douglass,
Joseph H. Mandeville.
January 3. dtf

Joseph H. Mandeville
Intends to carry on the *FLOUR* and *GROCERY BUSINESS* in the same manner & on the same terms as heretofore done by D. and M. and solicits a continuance of favors from his friends.
January 3. dtf

JOSEPH H. MANDEVILLE
KING-STREET,
At his Grocery & Flour Store,
HAS ON HAND AND OFFERS FOR SALE,
Muscovado SUGAR of various qualities
Moore's Loaf and Lump do.
MOLASSES in hhds.
Havanna HONEY
Imperial, Hyson, Young Hyson & Hyson Skin } TEAS, Of a good quality
COFFEE & CHOCOLATE
Spanish SEGARS in boxes
RAISINS in kegs and boxes
Jamaica and Antigua SPIRIT, old and good
Low priced West-India RUM
New-England do.
French and Peach BRANDY
Holland GIN
Rye WHISKEY
Stoughton's BITTERS in bottles
Manufactured TOBACCO
Mould and dip'd CANDLES
Coarse and fine Liverpool SALT in sacks or by the bushel
American GUNPOWDER
Wrapping Paper, Demijohns, Snuff in bottles, Leading Lines and Bed Cords, Black Pepper, &c.
100 tons Plaister Paris.
20 bls. whole or gross HERRINGS
100 bls. cut do.
20 bls. SHAD
Clover Seed.
Cheshire CHEESE of an excellent quality.
—ALSO—
FLOUR constantly kept and selected for family use.
January 3 d

SEINE TWINE.

2,000 pounds excellent Seine Twine.
ALSO,
10 quarter casks Port Wine
10 boxes Spermacaeti Candles
12 kegs fresh Raisins—
For sale by
James Sanderson.
January 19. d

FOR RENT,
The STORE, on Prince-street, between Fairfax and Prince-street, lately in the occupation of Mr. Ramsay. It is well calculated for a dry or wet goods store. The rent moderate. Apply to
William Hodgson.
Sept. 25. d

IN COMMON COUNCIL,
16th February, 1807.

ORDERED,
THAT the following persons be appointed commissioners, for superintending the elections, to be held in the different wards of the town, on Tuesday the 3d of March next, for the choice of members of the Common Council for the ensuing year, viz.

John Muncaster, William Harper, John Hunter, } for the first ward.
Joseph Riddle, Dennis Ramsay, John Young, } for the second ward.
Joseph Smith, Adam Lynn, William Reily, } for the third ward.
Mathew Robinson, Thomas Jamey, John Johnston, } for the fourth ward.

The election for the first ward, to be held at John Bogan's tavern, on Prince-street—for the second ward, at the court-house—for the third ward, at John Hodgkin's tavern, on King-street—and for the fourth ward, at Mr. Lawrence Hoff's brick house, on Duke-street.

Test. JAMES M. M'REA, c. c.
February 18. t3dMa

For Freight to Europe,
THE STAUNCH
FAST SAILING BRIG
PERSEVERANCE;
[Burden 190 tons]
Completely equipped and now ready a Hartshorne's wharf. Apply
To captain Samuel Jackson, on board, or to JOHN G. LADD.

Who has for Sale,
(NOW LANDING FROM SAID BRIG)
40 Barrrels New Rum
12 Hhds. Molasses
160 Barrels Sweet Cider
100 Casks Lime
100 Barrels Prime Beef
5 Pipes Holland Gin.
Feb. 20 d.

Suwarrow Boots.

JOHN G. FRANCIS,
From New-York,
RESPECTFULLY informs the public that he manufactures *Suwarrow Boots* with all the modern improvements, warranted equal to any in the United States. After many years of experience in his business, he has discovered a new method of retaining the elasticity in boots. He warrants to fit the leg be it ever so badly shaped. He makes boots of various descriptions, viz. Suwarrows—Fair-Tops, Three Quarters, Corsican Spring Toes, Duck Bills, Round Toes, Bonaparte's Graves, Jefferson's Boots and Shoes. He warrants to fit the Suwarrow equal to the tuck boots.—Gentlemen will please to call and see for themselves, at his shop in King-street, between Mr. Mott's and Mr Hodgkin's tavern.
January 5. d6m
N. B. He intends selling cheap for cash.

Patent Elastic Suspenders,
To be had, wholesale and retail, of the Patentee, next door below Mr. Alexander M'Kenzie's, lower end of Prince-street, Alexandria.

THEY furpass any yet extant, for ease, elegance, &c. Masters of vessels and other gentlemen going to the West-Indies, Spanish Main, &c. may be furnished with an assortment, and a great allowance to those who purchase by the quantity.

N. B. The buttons on the back parts of the waistband ought to be placed the same distance from each other, as the two center buttons on the Suspenders, to prevent improper straining, and thereby destroying the ease designed in the construction of the article.

Richard Horwell.

ALSO,
Red, Green, & Black Morocco Leather,
By the dozen or single skin—for sale at Horwell's Patent Suspender Manufactory, in Prince-street.
July 8. d12m

TO BE RENTED,
For the ensuing season,
A valuable FISHERY on Great Hunting Creek.
J. H. HOOE
January 3, 2awtf

Salt, Wine, and Fruit.

The CARGO of the Brig AUGUSTA, Captain *Davis*, from Lisbon,
For sale, by
Lawrason and Fowle.
CONSISTING OF
2300 bushels *COARSE SALT*, suitable for the fisheries.
26 quarter casks Lisbon Wine.
28 boxes Lemons.
10 do. Oranges.
8 nests Baskets.
February 25. d

LANDING,
From the brig ACTIVE, and for sale, by *Lawrason & Fowle,*
12 hhds. clay'd
13 do. Muscovado } Sugars.
20 barrels do
February 20. d

Public Sale.

At 10 o'clock, on SATURDAY, the 7th of March, if fair; if not, the next fair day; will be sold, at the late dwelling of *Henry Zimmerman*, deceased,
All the personal Property of the said deceased; consisting of one Negro Man, two Negro Women, four valuable Horses, and a variety of Houshold and Kitchen Furniture. Terms will be made known at the time and place of sale.
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FOR SALE,
On board the brig AUGUSTA, from Lisbon, now laying at Hartshorne's wharf,
2300 bushels Salt.
26 quarter casks Lisbon Wine.
28 boxes Lemons.
10 boxes fresh Oranges.
8 nests Baskets.
For terms
Apply to the Master on board.
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Spanish Hides.

1500 large heavy Spanish Hides
6000 wt. fine green Coffee—and
600 wt Indigo, Spanish Flotant
For sale by
M. MILLER.
February 20. d

FOUR DOLLARS *Reward.*

RAN AWAY, from the subscriber, a *yellow Negro Girl*, about 16 years of age, a very round face with trickles or small spots. She is very remarkable, having on one of her ears a lump about the size of a small pea, occasioned by being bored for bobs when young.

Whoever secures her in any jail so as I get her again, shall receive the above reward and reasonable charges if brought home to
Aquila Johns.
Broad-Creek, Prince-George's County, 14th Feb.—(20) d10t

Just Received and for Sale,
By the Subscribers,
A choice cargo of MAHOGANY,
From the Bay of Honduras, of different lengths and sizes, which they will sell by the log or larger quantity.
They have also for Sale,
Sugar in hogsheads
London particular Madeira Wine,
Catalonia ditto. by the quarter cask
Virginia Rum, of excellent quality
Molasses by the hogshead
Liverpool Stoved Salt
And Logwood.
Nathaniel Wattles & Co.
January 26. 2aw

This is to give Notice,
THAT the subscribers, of Alexandria county, in the district of Columbia, have obtained from the Orphans' Court of said county, letters of administration on the personal estate of *John Lightfoot*, late of the county aforesaid, deceased:—ALL PERSONS having claims against the said deceased, are hereby warned to exhibit them with the vouchers thereof to the subscribers, on or before the 21st day of July next ensuing, or they may by law be excluded from all benefit to said estate—And all persons indebted thereto are requested to make immediate payment.—Given under our hands this 21st day of January, 1807.
Elizabeth Lightfoot, *Adm'x.*
Samuel Lightfoot, *Adm'r.*
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Elizabeth Lightfoot, *Adm'x.*
Samuel Lightfoot, *Adm'r.*
January 21. 2aw3w

Supreme Court of the U. States,

FEBRUARY TERM, 1807.

Exparte { *Erick Bollman* and *Samuel Swartwout.*

On motion for a *Habeas Corpus ad subjiciendum,*

[CHIEF JUSTICE MARSHALL'S OPINION—CONCLUDED.]

It has been truly said that this is a generis term and includes every species of that writ. To this it may be added that when used singly—when we say *the writ of habeas corpus*, without addition—we most generally mean that great writ which is now applied for; and in that sense it is used in the constitution.

The section proceeds to say that "either, of the justices of the supreme court, as well as judges of the district courts, shall have power to grant writs of habeas corpus for the purpose of an enquiry into the cause of commitment."

It has been argued that congress could never intend to give a power of this kind, to one of the judges of this court which is refused to all of them when assembled.

There is certainly much force in this argument, and it receives additional strength from the consideration that if the power be denied to this great court, it is denied to every other court of the U. S.; the right to grant this important writ is given, in this sentence, to every judge of the circuit, or district court, but can neither be exercised by the circuit nor district court. It would be strange if the judge, sitting on the bench, should be able to hear a motion for this writ where it might be openly made, and openly discussed, and might yet retire to his chamber and in private receive and decide upon the motion. This is not consistent with the genius of our legislation, nor with the course of our judicial proceedings. It would be much more consonant with both, that the power of the judge at his chambers should be suspended during his term, than that it should be exercised only in secret.

Whatever motives might induce the legislature to withhold from the supreme court the power to award the great writ of habeas corpus, there could be none which would induce them to withhold it from every court in the U. S. and as it is granted to *all* in the *same sentence* and by the *same words*, the sound construction would seem to be, that the first sentence vests this power in all the courts of the U. S. but as those courts are not always in session, the second sentence vests it in every justice or judge of the U. S.

The doubt which has been raised on this subject may be further explained by examining the character of the various writs of habeas corpus, and selecting those to which this general grant of power must be restricted, if taken in the limited sense of being merely used to enable the court to exercise its jurisdiction in causes which it is enabled to decide finally.

The various writs of habeas corpus as stated and accurately defined by judge Blackstone (3 Bl. Com. 129) are 1st, The writ of habeas corpus ad respondendum "when a man hath a cause of action against one who is confined by the process of some inferior court; in order to remove the prisoner and charge him with this new action in the court above."

This case may occur when a party having a right to sue in this court (as a state at the time of the passage of this act, or a foreign minister) wishes to institute a suit against a person who is already confined by the process of an inferior court. This confinement may be either by the process of a court of the U. S. or of a state court. If it be in a court of the U. S. this writ would be inapplicable, because perfectly useless, and consequently could not be contemplated by the legislature. It would not be required, in such case, to bring the body of the defendant actually into court, and he would already be in the charge of the person who, under an original writ from this court would be directed to take him into custody, and would already be confined in the same jail in which he would be confined under the process of this court if he should be unable to give bail.

If the party should be confined by process from a state court, there are many additional reasons against the use of this writ in such a case.

The state courts are not, in any sense of the word, INFERIOR courts, except in the particular cases in which an appeal lies from their judgment to this court; and in these cases the mode of proceeding is particularly prescribed, and is not by habeas corpus. They are not inferior courts because they emanate from a different authority, and are the creatures of a distinct government.

2d. The writ of habeas corpus ad satisfaciendum, "when a prisoner hath had judgment against him in an action, and the plaintiff is desirous to bring him up to some superior court to charge him with process of execution."

This case can never occur in the court of the United States. One court never awards execution on the judgment of another. Our whole juridical system forbids it.

3d. Ad prosequendum, testificandum, deliberandum, &c. "which issue when it is necessary to remove a prisoner, in order to prosecute, or bear testimony, in any court, or to be tried in the proper jurisdiction wherein the fact was committed."

This writ might unquestionably be employed to bring up a prisoner to bear testimony in a court, consistently with the most limited construction of the words in the act of congress; but the power to bring a person up that he may be tried in the proper jurisdiction is understood to be the very question now before the court.

4th. and last, The common writ ad faciendum et recipiendum, "which issues out of any of the courts of Westminster-hall, when a person is sued in some inferior jurisdiction, and is desirous to remove the action into the superior court, commanding the inferior judges to produce the body of the defendant, together with the day & cause of his caption and detainer (when the writ is frequently denominated an habeas corpus cum causa) to *do and receive* whatever the king's court shall consider in that behalf. This writ is grantable of common right, without any motion in court, and it instantly supercedes all proceedings in the court below."

Can a solemn grant of power to a court to award a writ be considered as applicable to a case in which that writ, if issuable at all, issues by law without the leave of the court?

It would not be difficult to demonstrate that the writ of habeas corpus cum causa cannot be the particular writ contemplated by the legislature in the section under consideration; but it will be sufficient to observe generally that the same act prescribes a different mode for bringing into the courts of the U. S. suits brought in a state court against a person having a right to claim the jurisdiction of the courts of the U. S. He may, on his first appearance, file his petition and authenticate the fact, upon which the cause is *ipso facto* removed into the courts of the U. S.

The only power then, which on this limited construction would be granted by the section under consideration, would be that of issuing writs of *habeas corpus ad testificandum*. The section itself proves that this was not the intention of the legislature. It concludes with the following proviso: "That writs of habeas corpus, shall in no case extend to prisoners in gaol, unless where they are in custody under or by color of the authority of the U. S. or are committed for trial before some court of the same, or are necessary to be brought into court to testify."

This proviso extends to the whole section. It limits the powers previously granted to the courts, because it specifies a case it is particularly applicable to the use of the power by courts; where the person is necessary to brought into court to testify. That construction cannot be a fair one which would make the legislature except from the operation of a proviso, limiting the express grant of a power, the whole power intended to be granted.

From this review of the extent of the power awarding writs of habeas corpus, if the section be construed in its restricted sense; from a comparison of the nature of the writ which the courts of the United States would, on that view of the subject be enabled to issue, from a comparison of the power so granted with the other parts of the section it is apparent that this limited sense of the term cannot be that which was contemplated by the legislature.

But the 33d section throws much light upon this question. It contains these words, "And upon all arrests in criminal cases, bail shall be admitted, except where the punishment may be death, in which case it shall not be admitted, but by the *supreme* or a circuit court, or by a justice of the supreme court, or a judge of a district court, who shall exercise their discretion therein, regarding the nature and circumstances of the offence, and of the evidence and usages of law.

The appropriate process of bringing up a prisoner, not committed by the court itself, to be bailed, is by the writ now applied for. Of consequence a court, possessing the power to bail prisoners not committed by itself may award a writ of habeas corpus for the exercise of that power. The clause under consideration obviously proceeds on the supposition that the power was previously given, and is explanatory to the 14th section.

If by the sound construction of the act of congress the power to award writs of habeas corpus in order to examine into the cause of commitment is given to this court it remains to inquire whether this be a case in which the writ ought to be granted.

The only objection is, that the commitment has been made by a court having power to commit and to bail.

Against this objection the argument from the bar has been so conclusive that nothing can be added to it.

If this were *res integra*, the court would decide in favor of the motion. But the question is considered as long since decided. The case of Hamilton is considered as expressly in point in all its parts; and although the question of jurisdiction was not made at the bar, the case was several days under advisement, and this question could not have escaped the attention of the court. From that decision the court would not lightly depart. (United States, v. Hamilton, 3 Dallas 17.)

If the act of Congress gives this court the power to award a writ of habeas corpus in the present case, it remains to inquire whether that act be compatible with the constitution.

In the *mandamus* case† it was decided that this court would not exercise original jurisdiction except so far as that jurisdiction was given by the constitution. But so far as that case has distinguished between original and appellate jurisdiction, that which the court is now asked to exercise is clearly *appellate*. It is the revision of a decision of an inferior court by which a citizen has been committed to jail.

It has been demonstrated at the bar that the question brought forward on a *Habeas Corpus*, is always distinct from that which is involved in the cause itself. The question whether the individual shall be imprisoned is always distinct from the question whether he shall be convicted or acquitted of the charge on which he is to be tried, and therefore these questions are separated, and may be decided in different courts.

The decision that the individual shall be imprisoned must always precede the application for a writ of *Habeas Corpus*, and this writ must always be for the purpose of revising that decision, and therefore appellate in its nature.

But this point also is decided in Hamilton's case and in Burford's case.‡

If at any time the public safety should require the suspension of the powers vested by this act in the congress of the United States, it is for the legislature to say so.

The question depends on political considerations, on which the legislature is to decide. Until the legislative will be expressed, this court can only see its duty, and must obey the laws.

The motion, therefore, must be granted.

† 2. *Cranch's reports, Marbury v. Madison.*

‡ *At Feb. term*, 1806, *in this court.*

Opinion of Justice JOHNSON.

In this case I have the misfortune to dissent from the majority of my brethren. As it is a case of much interest, I feel it incumbent upon me, to assign the reasons upon which I adopt the opinion, that this court has not authority to issue the writ of habeas corpus now moved for. The prisoners are in confinement under a commitment ordered by the superior court of the district of Columbia, upon a charge of high treason. This motion has for its object, their discharge or admission to bail, under an order of this court, as circumstances upon investigation shall appear to require. The attorney general having submitted the case without opposition, I will briefly notice such objections as occur to my mind against the argument urged by the counsel for the prisoner.

Two questions were presented to the consideration of this court. 1st. Does this court possess the power generally of issuing the writ of habeas corpus? 2d. Does it retain that power in this case after the commitment by the district court of Columbia? In support of the affirmative of the first of these questions two grounds were assumed.

1st. That the power to issue this writ was necessarily incident to this court as the supreme tribunal of the union.

2dly. That it is given by statute and the right to it has been recognized by precedent.

On the first of these questions it is not necessary to ponder long; this court has uniformly maintained that it possesses no other jurisdiction or power than what is given it by the constitution and laws of the U. S. or is necessarily incident to the exercise of those expressly given.

Our decision must then rest wholly on the due construction of the constitution and laws of the union, and the effect of precedent, a subject which certainly presents much scope for a close legal enquiry, but very little for the play of a chastened imagination.

The first section of the third article of the constitution vests the judicial power of the U. S. in one supreme court, and in such inferior courts as the congress may from time to time establish. The second section declares the extent of that power and distinguishes its jurisdiction into original and appellate.

The *original jurisdiction* of this court is restricted to cases affecting ambassadors or other public ministers, and consuls, and those in which a state shall be a party. In all other cases within the judicial powers of the union, it can exercise only appellate jurisdiction. The former it possesses independently of the will of any other constituent branch of the general government. Without a violation of the constitution, that division of our jurisdiction can neither be restricted or extended. In the latter its powers are subjected to the will of the legislature of the union, and it can exercise appellate jurisdiction in no case unless expressly authorised to do so by the laws of congress. If I understand the case of Marbury and Madison, it maintains this doctrine in it full extent. I cannot see how it could ever have been controverted.

It is incumbent then, I presume, on the council in order to maintain their motion, to prove that the issuing of this writ is an act within the power of this court in its original jurisdiction, or that in its appellate capacity, the power is expressly given by the laws of congress.

This it is attempted to do, by the 14th and 33d sections of the judiciary act, and the cases of Hamilton and Burford, which occurred in this court, the former in 1795, the latter in 1806.

How far their position is supported by that act and those cases, will now be the subject of my enquiry.

With a very unnecessary display of energy and pathos, this court has been imperatively called upon to extend to the prisoners the benefit of precedent. I am far, very far, from denying the general authority of adjudications. Uniformity in decision is often as important as their abstract justice. But I deny that a court is precluded from the right or exempted from the necessity of examining into the correctness or consistency of its own decisions or those of any other tribunal. If I need precedent to support me in this doctrine, I will cite the example of this court, which in the case of the U. S. vs. Moore, Feb. 1805, acknowledged that in the case of the U. S. vs Sims, Feb. 1803, it had exercised a jurisdiction it did not possess. Strange indeed would be the doctrine, that an inadvertency once committed by a court shall ever impose on it the necessity of persisting in its error. A case that cannot be tested by principle is not LAW, and in a thousand instances have such cases been declared so by courts of justice.

The claim of the prisoners as founded on precedent stands thus. The case of Hamilton was strikingly similar to the present. The prisoner had been committed by order of the district judge on a charge of high treason. A writ of habeas corpus was issued by the supreme court and the prisoner bailed by their order. The case of Burford was also strictly parallel to the present; but the writ in the latter case having been issued expressly on the authority of the former, it is presumed that it gives no additional force to the claim of the prisoners, but must rest on the strength of the case upon which the court acted.

It appears to my mind that the case of Hamilton bears upon the face of it evidence of its being entitled to little consideration, and that the authority of it was annihilated by the very able decision in Marbury vs. Madison. In this case it was decided that congress could not vest in the supreme court any original powers beyond those to which this court is restricted by the constitution. That an act of congress vesting in this court the power to issue a writ of mandamus in a case not within their original jurisdiction, and in which they were not called upon to exercise an appellate jurisdiction, was unconstitutional and void—In the case of Hamilton the court does

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assign the reasons on which it founds its decision; but it is fair to presume that they adopted the idea which appears to have been admitted by the district attorney in his argument, to wit. That this court possessed a concurrent power with the district court in admitting to bail. Now a concurrent power in such a case must be an original power, and the principle in Marbury and Madison applies as much to the issuing of a habeas corpus in a case of treason as to the issuing of a mandamus in a case not more remote from the original jurisdiction of the court. Having thus disembarrassed the question from the effect of precedent, I proceed to consider the construction of the two sections of the judiciary act above referred to.

It is necessary to premise that the case of *treason* is one in which this court possesses neither original nor appellate jurisdiction. The 14th section of the judiciary act so far as it has relation to this case is in these words: "All the before-mentioned courts (of which this is one) of the United States, shall have power to issue writs of Scire Facias, Habeas Corpus and all other writs not specially provided for by statute which may be necessary for the exercise of their respective jurisdictions, and agreeable to the principles and usages of law." I do not think it material to the opinion I entertain, what construction is given to this sentence. If the power to issue the writs of Scire Facias and Habeas Corpus, be not restricted to the cases within the original or appellate jurisdiction of this court, the case of Marbury and Madison rejects the clause as unavailing; and if it relate only to cases within their jurisdiction, it does not extend to the case which is now moved for. But it is impossible to give a sensible construction to that clause without taking the whole together—it consists of but one sentence, intimately connected throughout, and has for its object the creation of those powers which probably would have vested in the respective courts, without statutary provision as incident to the exercise of their jurisdiction.

To give to this clause the construction intended for by counsel, would be to suppose that the legislature would commit the absurd act of granting the power of issuing the writs of scire facias and habeas corpus, without an object or end to be answered by them. This idea is not a little supported by the next succeeding clause in which a power is vested in the individual judges to issue the writ of habeas corpus, expressly for the purpose of enquiring into the cause of commitment. That part of the 33d section of the judiciary act, which relates to this subject, is in the following words: "And upon all arrests in criminal cases, bail shall be admitted, except where the punishment is death, in which case it shall not be admitted but by the supreme or a circuit court, or by a justice of the supreme court, or a judge of a district court, who shall exercise their discretion therein, regarding the nature and circumstances of the offence, and of the evidence and usage of law.

On considering this act it cannot be denied that if it vests any power at all, it is an original power. "It is the essential criterion of appellate jurisdiction that it revises & corrects the proceedings in a cause already instituted." I quote the words of the court in the case of Marbury vs. Madison.

And so far is this clause from giving a power to revise and correct, that it actually vests in the district judges the same latitude of discretion by the same words, that it communicates to this court. And without derogating from a respectability which I must feel as deep an interest in maintaining as any member of this court, I must believe that the district court or any individual district judge possesses the same power to revise our decision, that we do to revise theirs; nay more, for the powers with which they may be vested are not so particularly limited and divided by the constitution as ours are. Should we perform an act which, according to our own principle, we cannot be vested with power to perform, what obligation would any other court or judge be under to respect that act? There is one mode of construing this clause, which appears to me to remove all ambiguity, and to render every part of it sensible and operative. By the consent of his sovereign, a foreign minister may be subjected to the laws of the state near which he resides. This court may then be called upon to exercise an original criminal jurisdiction. If the power of this court to bail, be confined to that one case, *reddendo singula singulis*, if the power of the several courts and individual judges be referred to their respective jurisdictions, all clashing and interference of power ceases, and sufficient means of redress are still held out for the citizen, if deprived of his liberty. And this surely must have been the intention of the legislature, it never could have been contemplated that the mandates of this court should be borne to the extremities of the states to convene before them every prisoner, who may be committed under the authority of the general government. Let it be remembered that I am not disputing the power of the individual judges who compose this court to issue the writ of habeas corpus. This application is not made to us as at chambers, but to us as holding the supreme court of the U. S. a creature of the constitution and possessing no greater capacity to receive jurisdiction or power than the constitution gives it. We may in our individual capacities, or in our circuit courts be susceptible of powers merely ministerial and not consistent with our judicial characters, for on that point the constitution has left much to construction; and on such an application the only doubt that could be entertained would be, whether we can exercise any power beyond the limits of our respective circuits. On this question I will not now give an opinion. One more observation and I dismiss the subject.

In the case of Burford, I was one of the members who constituted the court—I owe it to my own consistency to declare that the court were then apprized of my objections to the issuing of the writ of habeas corpus. I did not then comment at large on the reasons which influenced my opinion, and the cause was this: The gentleman who argued that cause confined himself strictly to those considerations, which ought alone to influence the decisions of this court. No popular observations on the necessity of protecting the citizen from executive oppression, no animated address calculated to enlist the passions or prejudices of an audience in defence of his motion, imposed on me the necessity of vindicating my opinion. I submitted in silent deference to the decision of my brethren.

In this case, I feel myself much relieved from the painful sensation resulting from the necessity of dissenting from the majority of the court, in being supported by the opinion of one of my brethren, who is prevented by indisposition from attending.

Alexandria Daily Advertiser.

FRIDAY, FEBRUARY 27.

From Washington, Thursday, Feb. 26.

Much of the time of the House this day has been spent on the question of concurring with the Senate in certain amendments to the bill continuing the Mediterranean fund, and repealing the duty on salt. The House voted to *adhere* to the bill; the Senate voted to adhere to their amendments. The bill, of course, is lost; and the duty on salt is not repealed: and the Mediterranean fund ceases at the close of the present session.

MARRIED, last evening, by the Reverend James Muir, Mr. JOHN M'DONALD, to Miss ANNE KING—both of this place.

The President of the United States, has granted his exequator to *Don Paul Chacon*, as his Catholic Majesty's Vice-Consul for the district of Columbia, to reside at Alexandria.

LONDON POLICE.

BOW-STREET, Oct. 20.

William Lyman, the son of the American consul, about 10 years of age, was at school in the neighborhood of Hackney. On Monday one of the ushers inflicted a very severe punishment upon him, with a wanghee cane. Early on Tuesday morning the youth made his escape from the school, to his father's house, in Birchin lane.

On his father's hearing his statement, and examining the body, he came to the office, and made application to Mr. Bond and sir William Parsons, the magistrates, who dispatched Rivett with a warrant, in a post chaise, to bring the usher before them. The officer returned with him with all possible speed. The consul, with his son, and his attorney, were in readiness. The youth's back was shewn to the magistrates, when it appeared to be nearly one general mass of bruises. The magistrates censured very severely the conduct of the prisoner.

Sir W. Parsons observed, that if it were possible for the youth to have committed an offence to call for such a violent punishment, the master should have inflicted it, and not the prisoner; but reprobated such a mode of punishment very severely—recommended as the most proper mode of punishing boys, to deprive them of play, make them do an extra number of sums, and learn extra tasks.

The prisoner appeared penitent for what he had done, and begged pardon; but the consul said he could not possibly accept of it. He should get a surgeon to examine his son's body, and should prosecute the prisoner in the crown office. The prisoner was ordered to find bail for the assault.

THE DAYS THAT ARE GONE.

THE sun was departed, the mild zephyr blowing,
Bore over the plain the perfume of the flowers;
In soft undulations the streamlet was flowing,
And calm meditation led forward the hour:
I struck the full chord, and the ready tear started,
I sung of an exile forlorn, broken hearted,
Like him, from my bosom all joy is departed,
And sorrow has stol'n from the lyre all its powers.

I paus'd on the strain, when fond mem'ry tenacious,
Presented the form I must ever esteem;
Retrac'd scenes of pleasure, alas, how fallacious!
Evanescent all, as the shades of a dream.
Yet still, as they rush'd thro' oppress'd recollection,
The silent tear fell, and the pensive reflection,
Immers'd my sad bosom in deeper dejection,
On which cheering hope scarcely glances a beam.

In vain into beauty all nature is springing,
In vain smiling spring does the blossoms unfold;
In vain round my cot the wing'd choristers singing,
When each soft affection is dormant and cold.
E'en sad as the merchant, bereav'd of his treasure,
So slow beats my heart and so languid its measure,
So dreary, so lonely, a stranger to pleasure,
Around it affliction her mantle hath roll'd.

But meek resignation supporting the spirit,
Unveils a bright scene to the uplifted eye;
A scene, which the patient and pure shall inherit,
Where hearts bleed no more, and the tear shall be dry.
The souls which on earth in each other delighted,
By friendship, by honor, by virtue united,
Shall meet, and their pleasures no more shall be blighted,
But perfect and pure as their love be their joy.

Wanted to Charter,

A VESSEL
Of about 2000 barrels burthen, to load for a port in ENGLAND, to which immediate dispatch will be given. Apply to
JAMES PATTON.
February 27. d

Just Received,
(Direct from LINVILL'S Comb Manufactory, Baltimore)
A large and elegant assortment of
TORTOISE-SHELL COMBS,
OF THE MOST MODERN FASHION;
Which will be sold plain or sett, in any way fancy may direct.
JOHN ADAM.
February 27. dst*

Valuable Lands for Sale.

On the 23d day of April next, I will sell, at public sale, for ready money,

A valuable Tract of Land, now in the occupation of Dr. *James H. Blake*; situate in Fairfax county, in the commonwealth of Virginia, on the south side of Pohick creek, containing about 325 acres, be the same more or less. This land was sold and conveyed in the year 1795 by Col. William Fitzhugh to James H. Blake, Richard Parrott, and Anthony Banning, and in 1798 by them conveyed to me in trust to be sold upon the happening of certain events which have taken place. Col. William Fitzhugh held this land under his ancestors, who together with himself had possessed it without any interfering adverse claim from any quarter very many years previous to the year 1795; so that it is believed there can be no possible doubt in the title: but selling as I do as a trustee, I will not give any warrantee except against myself and those claiming under me. A further description is conceived unnecessary, as the sale will be made on the land on the day above mentioned, and commence at the hour of 11 o'clock in the forenoon.
Leonard Mackall.
February 27. law8t*

Attention to this Notice.

THOSE persons who gave their bonds, (the list of which I have) will please to take notice that they ought to have settled with me in May last for property purchased by them.
I will, in one month from this date, if they do not come forward and pay off what is justly due, commence suits in chancery against them.
Benjamin Dulany.
February 14. (27.) d2w

☞ CASH will be given for a few *likely young Negroes*, of both sexes; if immediate application be made at the Indian-Queen tavern.
February 25 3t*

NOTICE.

IN pursuance of a law passed at the last general assembly of Virginia, authorizing the establishment of a *TOLL BRIDGE* across Great-Hunting-Creek, the commissioners therein named will attend at the house of *John Gooding*, in Fairfax county, on the 9th day of March next, and open books of subscription for raising the capital sum of twelve thousand dollars, in shares, as pointed out and authorized by the said law.
February 26. eo

Thomas Reed & James Otlay,
Painters and Glaziers,
HAVE commenced business in the above line, in Prince-street, nearly opposite the bank of Potomac, where they intend to keep the best of *PAINTS*, and every thing else in their line. Any orders, either in town or from the country, will be duly attended to, and executed on as reasonable terms as any in this place.
February 19. eo3t—law4t*

WILL BE SOLD OR LEASED, ON GROUND RENT,
For a term of Years, or for ever,
A NUMBER OF VALUABLE AND ELIGIBLY SITUATED BUILDING LOTS, in this Town—on Fairfax, Cameron, Water, Union and Princess streets. They will be laid off to accomodate purchasers. Application may be made to *William Herbert, Esq.* or to the subscriber near Patuxent Iron-works, Prince George's County, Maryland.
John C. Herbert.
February 12. 2awtf

The elegant and much admired
ENGLISH HORSE BRILLIANT,
The property of John Tayloe, *Esquire, of Mount Airy,*
WILL stand, the ensuing season, at Mr. J. Milton's, in Frederick county, Virginia, one mile from Berry-ville, 6 from Snicker's ferry on Shenandoah river, and 12 from Winchester; at the low price of twenty-five dollars, (dischargeable by twenty dollars during the season) with one dollar to the groom.
BRILLIANT is a beautiful grey, 16 hands high, possessing great bone, with fine shape and symmetry—his blood unexceptionable—and allowed by all judges to be as fine a horse, in all respects, as was ever imported.
Pasturage furnished mares from a distance, but no liability for accidents or escapes.
His pedigree, performances, &c. will be published in handbills, when the season commences.
January 31. law7t

District of Columbia, County of Alexandria, *ss.*
November Term, 1806.

Warren Ashley, *complainant*,
Against
John Drew and Wm. Hartshorne, *defendants*.
} *In Chancery.*

The defendant, John Drew, not having entered his appearance and given security, according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, upon affidavit, that the said defendant, John Drew, is not an inhabitant of this district—on motion of the complainant by his counsel, it is ordered that the said defendant, John Drew, do appear here on the first day of July term next, and enter his appearance to the suit and give security for performing the decrees of the court, and that the other defendant, William Hartshorne, do not pay away, convey or secrete the debts by him owing to, or the estate or effects in his hands belonging to the said absent defendant, John Drew, until the further order or decree of the court, and that a copy of this order be forthwith published in both of the public newspapers published in this county for two months successively, and that another copy be posted at the front door of the court house of said county.
A Copy. Test.
G. Deneale, C. C.
January 8. law2m

PUBLIC SALE.

TO BE SOLD, on the premises, on MONDAY, the 6th day of April next,

The Lots of Ground, with the Improvements, now occupied by Mr. *Hugh Smith*, together with the whole remaining part of the said two Lots, containing half a square save 42 feet 6 inches on Royal, and 112 feet on Queen-street, deeded to and now in the occupation of *John Mandeville*.—The said Lots bounded on the south by the lots formerly belonging to the late *William Ramsay*; on the east by Royal-street, on the north by Queen-street, and on the west by Pitt-street. One third of the purchase money to be paid down; the remainder in 1, 2, or 3 years, as may suit the purchaser. A deed of trust and bond will be required to secure the payment of principal and interest thereon, annually. If any person wish to contract by private sale, previous to April, they may apply to *John Longden*, who is authorised to bargain for the same. If the property be not sold it will be leased on ground rent for ever, on very low terms.

February 25. 2awts

Coach-Making.

REA AND TAYLOR,
LATE OF NEW-YORK,

Respectfully inform their Friends and the Public,

THAT they have commenced the above business at the shop formerly occupied by W. T. Peck, in Royal-street, near Gadsby's hotel, where they propose carrying it on in all its various branches, on the most reasonable terms, for cash. They flatter themselves the experience they have acquired in the principal cities in the United States, will secure them public patronage, which will be thankfully received and punctually attended to.

February 2. eo

TO RENT,

A CONVENIENT two-st FRAME HOUSE lately occupied by Mark Butts situate in Duke, between Water and Union streets, next door to Thomas Preston's. Apply to

Mark Butts, or
Thomas Preston.

January 7. eo

FOR SALE,

A WELL finished three story BRICK HOUSE and LOT, on King-street, the most commercial street in town and in the center of it.

A well finished two story Brick House and Lot, on Duke-street, near the river.

A Lot of Ground a short mile above town, containing five and one eighth acres, near the river.

Twelve hundred and eighty acres of military Land, in the state of Tennessee, on Obey's river, a branch of the Cumberland river,

A tract of Land containing 510 acres, in Greenbriar county, Virginia.

Also, a very convenient and well finished Brick House and Lot, in George-Town, with Brick Stable, Coach House, &c.

Also, a two story Frame House and Lot, in George-Town, and Bake House—the lot is 38 feet 4 inches front and 107 feet deep.—A part payment will be expected down, and a liberal credit given for the balance.

If the George-Town property is not sold by private sale, it will be offered at public sale, on the first Monday in May next.

Samuel Craig.

January 22. 2aw

Land for Sale.

THE subscriber wishes to sell about fifteen and an half acres of Land, within half a mile of Alexandria, situate on the south side of the lane leading from Mr. Hodgson's dwelling to the poor house, and directly opposite that building. Although this property from its situation must soon become valuable, it will be sold low for cash, or good negotiable paper at ninety, one hundred and eighty, and two hundred and seventy days. Apply to JAMES IRVIN, or myself

Robert Adam.

January 20. eotf

Dissolution of Partnership.

THE partnership of *Davey and Mills*, was dissolved on the 17th instant—and *William N. Mills* is solely authorised to settle all accounts of the late firm.

William N. Mills,
Surviving Partner of Davey and Mills.

January 23. eotf

William N. Mills,

CONTINUES to carry on the *Grocery & Flour Business*, in the house formerly occupied by Davey and Mills—

And has just received,

2500 weight Firkin Buter,

In complete order for shipping.

January 23. eotf

Printing, in its various branches, handsomely executed at this office.

For Sale or Rent,

MY *LAND, TOBACCO WARE-HOUSES*, and other buildings at Boyd's-Hole; at present in the occupancy of Mr. John W. Timberlake. Possession may be had the first of April. For further particulars apply to Mr. *William F. Grymes*, near the place, Mr. *William Wedderburn*, of Alexandria, or the subscriber.

W. Fitzhugh.

February 21. 2awtf

FOR SALE

Mould Candles of a superior quality in small boxes suitable for private families.

8 by 10 and 10 by 12 Window Glass of the Baltimore manufactory.

Patent Castings and Teakettles,

Bucellos and Carcavella Wines.

By ROBERT T. HOOE & Co.

Feb. 4. 2aw4w.

TO BE RENTED,

THE BRICK STORE & COMPTING HOUSE now occupied by Messrs. Ricketts Newton & Co.—ALSO, the vacant *STORE* adjoining. They are large and convenient, as will be rented low. Apply to

J. H HOOE.

July 28 law

20 Dollars Reward.

RAN AWAY from the subscriber living in Prince William County, near Hay Market, on the first of January, a negro man named *Windsor*, about 38 or 39 years of age; 5 feet 9 or 10 inches high; has a down look when spoken to; one of his hands has been burnt on the top nearly over, and is white and scruffy—had on when he went away a suit of soldier's cloth; but it is like he will change his clothes as he had money when he went away and perhaps change his name.—Ten dollars will be paid if taken in the county & bro't home, if taken out of the county and brought home, the above reward, or, secured in any jail so that I get him again.

James Wyatt, sen.

February 9. law4t*

For Sale,

BETWEEN three and four hundred acres of PRIME LAND, lying on the new turnpike road, about 22 miles from Alexandria. This tract is well watered, well timbered, with some excellent meadow on it, and much more may be made.—One hundred acres are in wood. Apply for terms to *Cuthbert Powell*, in Alexandria, or the subscriber near the premises, Fairfax county, Virginia.

Richard Bland Lee.

February 16. law8t

PUBLIC SALE.

BY virtue of a deed of trust from General HENRY LEE, for securing to WILLIAM LUDWELL LEE, deceased, the payment of a debt of sixteen thousand six hundred and sixty-six dollars and sixty-six cents, with interest thereon from the 17th day of April, 1798, and upon the request of the legal representatives of the said WILLIAM LUDWELL LEE, deceased, I shall sell at public auction, to the highest bidder, the following

Tracts of Land,

At the periods hereafter mentioned—that is to say—

One tract of land, lying in Westmoreland county, called "*Hollis's Marsh*," containing, as mentioned in the said deed, two thousand eight hundred acres or thereabouts—and

One other Tract of Land, called "*Black Grounds*," containing eleven hundred acres, more or less, in Westmoreland county—at *Westmoreland Court-House*, on the 23d day of March next, being court day:—

One other Tract of Land, stated to contain sixteen hundred acres, called "*Buffaloe Marsh*," lying in the county of Frederick, together with a moiety of the Mill upon the said tract—at *Winchester*, on the 4th day of May next:—

And all the Right, Title, Interest or Claim of the said HENRY LEE and WIFE, to five hundred acres, lying in Fairfax county, at the mouth of Difficult Run, on the west side thereof, at or near the great falls of Potomac—at *Fairfax Court-House*, on the 18th day of May next.

It is expected that persons wishing to purchase either of the above tracts, will previously view the same.

Bushrod Washington,
TRUSTEE.

January 30. 2aw

This is to give Notice,

THAT the subscriber, of Alexandria county, in the district of Columbia, hath obtained from the Orphans' Court of said county letters of administration on the personal estate of *Alexander Latimer*, late of the county aforesaid, deceased; all persons having claims against the said deceased, are hereby warned to exhibit them with the vouchers thereof to the subscriber, on or before the 21st day of July next ensuing, or they may by law be excluded from all benefit to said estate—and those indebted thereto, are requested to make immediate payment.—Given under my hand this 21st day of January, 1807.

Mercy Latimer, *Adm'x.*

January 21. 2aw6w

Wanted to Hire,

ABOUT THIRTY HANDS and several Horses and Carts. For terms apply to *Jonathan Scholfield*, of Alexandria, or *Charles Stewart*, of Fairfax Court-house, Virginia.

Feb. 24. 2aw2w

NOTICE.

THE subscriber intending to decline business in this place, takes this method of calling upon all those who are indebted to him for paymeat; and such as do not come forward before the 24th of next month, their accounts will be placed in the hands of a proper person for collection.

My own debts must be paid: therefore an apology for this call is unnecessary. Any claims not liquidated are requested to be presented, as all *honest ones* will meet with attention so far as in my power.

I HAVE ON HAND

A quantity of DRY GOODS, the price of which I will make very low to any person that will purchase the whole.

I have also on hand,

A general assortment of Groceries and Liquors as usual.

George Clementson.

February 24. eo1w2aw2w

NOTICE.

A MAJORITY of the stockholders of the Alexandria theatre, having agreed to purchase the ground rent of $108 per annum, arising from the ground on which the theatre is erected, *give this public notice* to stockholders residing out of Alexandria, that unless they forward notes to the subscriber payable at 3, 6, and 9 months, from the first of January, 1807, for their proportions, by the first day of March next, a deed will be then taken for the property to those who shall agree to the above purchase by that day.—Any stockholder disagreeing to the above stipulations, will only be entitled to the one and thirtieth part of the neat proceeds of the sale of the property, sold at public auction by the direction of the trustees of said theatre, on the 30th August, 1806.

Guy Atkinson,
Agent for the Stockholders.

January 29—30. 2aw1stM

☞ The above theatre to rent.

Notice is hereby given,

THAT all persons who may be found trespassing on the land belonging to *C. W. Valangen*, situated on the Potomac River, near Alexandria, below the mouth of Mol Frost's Run, and extending to a line belonging to Mr. Peter Sheron's, nearly at the lower extremity of the Pocosen: and from thence back from the river to the north branch of Little-Hunting-Creek, will be prosecuted to the extent of the law in such cases provided.

C. W. Valengen.

February 23. 2aw3w*

VALUABLE LANDS,

To be Sold very Cheap.

I WISH to sell my Mill-Tract of Land, situate on Back-Lick and Indian-Runs, about six miles from the town of Alexandria; containing about eleven hundred acres. On this tract are two plantations besides the mill farm—on the latter there is a very good mill, in which are one pair of burr, and one pair of cullen stones, with elevators, &c. complete for merchant work—a distillery convenient to the mill, with four stills and every necessary utensil in complete order—a dwelling-house, kitchen, barn, with stables under it to accommodate 20 stalls, with every other out house requisite on a farm—a very good garden, an orchard of about 2500 trees of the choicest fruits this country can afford. There is about 300 or 400 acres of the tract cleared, the remainder in woods and a great part of it heavily timbered; about 30 or 40 acres of meadow, and nearly 300 acres more may be made on the bottoms adjoining the two runs.

ALSO,

One other tract of one hundred acres, about two miles from Alexandria, part of the Cliesh Tract, and adjoining the lands of Messieurs John C. Herbert, Robert Patton, and John Richter, the Mount-Vernon road running through it. This tract is mostly in woods, and conveniently situated for country seats. If these lands should be sold at private sale, (which I would prefer) I will take in payment, if more convenient to the purchasers, stock of any of the banks from Richmond to New-York, or any kind of stock of the United States.

If they are not sold before Friday the first day of May next, the Mill Tract will, on that day, be sold at public auction, to the highest bidder—and on the following day the Cliesh Lands will be sold in like manner. The Mill Tract will be divided into three or four farms and sold subject to a lease of four and an half years from the first day of July last. The Cleish Tract will be divided into lots of 10 or 20 acres each. If sold at public auction the terms will be made known on the days of sale.

William Hepburn.

December 4. eo8w law till 1st May

Dissolution of Partnership.

THE Copartnership of *Moxley & Welsh*, was this day dissolved by mutual consent, and ROBERT WELSH is duly authorised to settle all the business belonging to the firm.

Joseph Moxley,
Robert Welsh.

☞ The business in future will be carried on at the same place by ROBERT WELSH.

Occoquan, Jan. 30. [Feb. 11.] law3w

Rappahannock Mills, &c.

THE subscriber would lease or rent, the valuable property, called "HUNTER WORKS, consisting of a Manufacturing Mill, (late in the occupancy of Messrs. Cooch and Hollingsworths) having two water wheels, with four pair burr stones, and all necessary machinery—a good Grist Mill, Saw Mill, and houses suitable for millers, coopers, & blacksmith's. At this place are the walls and remains of a forge and slitting mill, formerly carried on, the scites of which, and others in the same canal, are excellent for water works of various kinds. This property is on the north edge of the Rappahannock, within two miles of Fredericksburg and one of Falmouth, has peculiar advantages of water, and is well situated for the purchase of wheat, now the staple of the country, and of the last crop a large proportion yet to come to market.

Also, a valuable MANUFACTURING MILL, with two water wheels, two pair of stones, and the usual machinery, situated on the same edge of the river, within half a mile of Falmouth, having a convenient and comfortable miller's house attached to it, and a canal which now affords water communication from Falmouth to the mill door, and at the expence of only three or four hundred dollars may be extended to the doors of the forge mills—Or, I will sell the whole of the above Property, under stipulations, for the benefit of contiguous property, but no way injurious to this, and give credit seven years if necessary, for three fourths of the amount, and accommodating time for the other fourth.

Robert Dunbar.

January 26. 2aw6w

Valuable Property for Sale.

Pursuant to a decree of the circuit court for the district of Columbia, held at Alexandria, and the last will of *Benjamin Shreve*, deceased; his executors offer for sale,

THAT *Valuable Property* at the corner of King and Fairfax-streets, part of which is occupied by Charles Bennett. The lot extends 40 feet on King and 70 feet on Fairfax-street, is subject to a rent charge of 50 dollars per annum.

To those who are desirous, either of securing a good stand for business, or vesting their money in real estate, this is a most inviting piece of property. A small part of the money will be required in hand or in an approved note at 60 days—on the balance a liberal credit will be given. For terms apply to either of the executors or to Benjamin Shreve.

William Paton,
Edward Stabler,
John Janney, } *Ex'rs.*

November 28. 2aw

This is to give Notice,

THAT the subscribers, of Alexandria county, in the district of Columbia, have obtained from the Orphans' Court of said county, letters testamentary on the estate of *Davey Davey*, late of the county aforesaid, deceased—all persons having claims against the said deceased are hereby warned to exhibit them with the vouchers thereof to the subscribers on or before the 21st day of July next ensuing, or they may by law be excluded from all benefit to said estate—and all persons indebted thereto are requested to make immediate payment.—Given under our hands this 21st day of January, 1807.

Elizabeth Davey, *Exec'x.*
John Korn, *Executor.*

January 21. 3taw6w

This is to give Notice,

THAT the subscribers, of Fairfax county, in the state of Virginia, have obtained from the Orphans' court of Alexandria county, in the district of Columbia, letters of administration on the personal estate of *Henry Zimmerman*, late of the county first aforesaid, deceased: ALL PERSONS having claims against the said deceased, are hereby warned to exhibit them with the vouchers thereof, to the subscribers, on or before the 28th day of July next ensuing, or they may by law be excluded from all benefit to said estate—And those indebted thereto are requested to make immediate payment.—Given under our hands this 28th January, 1807.

Eliza Zimmerman, *Adm'x.*
John Zimmerman, *Adm'r.*

January 30. 2aw8w

PRINTED DAILY BY
SAMUEL SNOWDEN.